

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED

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MASSACHUSETTS INSTITUTE)
OF TECHNOLOGY)
Plaintiff)
v.)
CURAGEN CORPORATION,)
Defendant.)

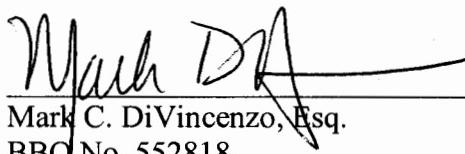
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U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL ACTION NO. 05-10860WGY

**NOTICE OF VOLUNTARY DISMISSAL BY PLAINTIFF, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY**

Pursuant to the provisions of Federal Rule of Civil Procedure 41(a)(1)(i), Plaintiff, Massachusetts Institute of Technology, voluntarily dismisses the above-entitled action with prejudice.

**MASSACHUSETTS INSTITUTE
OF TECHNOLOGY**

By its attorney,



Mark C. DiVincenzo, Esq.

BBO No. 552818

Litigation and Risk Management Counsel
Massachusetts Institute of Technology
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Cambridge, Massachusetts 02139

Dated: May 20, 2005